

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2021

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HOUSE BILL 181  
Committee Substitute Favorable 3/23/21  
Committee Substitute #2 Favorable 3/30/21  
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Short Title: Wildlife Resources Comm'n. Amendments.-AB

(Public)

Sponsors:

Referred to:

March 1, 2021

1 A BILL TO BE ENTITLED  
2 AN ACT TO MAKE VARIOUS CHANGES TO THE STATUTES GOVERNING THE  
3 WILDLIFE RESOURCES COMMISSION.

4 The General Assembly of North Carolina enacts:

5  
6 **AUTHORIZE ACQUISITION OR CONSTRUCTION OF CERTAIN CAPITAL**  
7 **IMPROVEMENT PROJECTS OF THE COMMISSION**

8 **SECTION 1.(a)** G.S. 143C-8-12 reads as rewritten:

9 **"§ 143C-8-12. Capital improvement projects from sources other than the General Fund.**

10 ...

11 (c) National Guard Projects. – Notwithstanding any other provision of this Chapter, the  
12 North Carolina National Guard may approve expenditures for a capital project of the North  
13 Carolina National Guard if (i) the project will be funded entirely with federal funds and (ii) any  
14 operating costs associated with the project will be paid entirely with federal funds.

15 (c1) Wildlife Resources Commission Projects. – Notwithstanding any other provision of  
16 this Chapter, the Wildlife Resources Commission may approve expenditures for a capital project  
17 of the Wildlife Resources Commission if (i) the project will be funded entirely with agency  
18 receipts or federal funds and (ii) any operating costs associated with the project will be paid  
19 entirely with agency receipts or federal funds.

20 (d) Reporting. – The Board of ~~Governors and~~ Governors, the National ~~Guard~~ Guard, and  
21 the Wildlife Resources Commission shall report any expenditure made pursuant to this section  
22 to the Office of State Budget and Management and to the Joint Legislative Commission on  
23 Governmental Operations."

24 **SECTION 1.(b)** This section becomes effective July 1, 2021.

25  
26 **REVISE REQUIREMENTS FOR HARVEST OF BLACK BEAR**

27 **SECTION 2.(a)** G.S. 113-291.7 reads as rewritten:

28 **"§ 113-291.7. Regulation of bears; limited retention of local acts closing bear seasons.**

29 ...

30 (c) Any hunter who has harvested a black bear (Ursus americanus) shall submit at least  
31 one premolar tooth to the Wildlife Resources Commission no later than January 31 following the



1 applicable prior bear hunting season. The tooth submission shall include all of the following  
2 information on a form specified by the Wildlife Resources Commission:

3 (1) The hunter's name and mailing address.

4 (2) The hunter's Wildlife Resources Commission customer number and bear  
5 harvest authorization number.

6 (3) The sex of the harvested bear.

7 (4) The county of harvest.

8 (d) Violation of subsection (c) of this section shall be an infraction as provided in  
9 G.S. 14-3.1, punishable by a fine of thirty-five dollars (\$35.00). A person responsible for an  
10 infraction under this subsection shall not be assessed court costs, but the Executive Director of  
11 the North Carolina Wildlife Resources Commission is authorized to revoke or refuse to issue  
12 bear e-stamp privileges for any individual guilty of an infraction for violations of subsection (c)  
13 of this section for two consecutive years or upon failure to pay outstanding infraction fines when  
14 required to do so."

15 **SECTION 2.(b)** The Wildlife Resources Commission may adopt temporary and  
16 permanent rules to implement this section.

17 **SECTION 2.(c)** Subsection (a) of this section becomes effective October 1, 2021,  
18 and applies to bear hunting seasons beginning on or after that date.

## 20 **REPEAL COMMISSION LAW ENFORCEMENT OFFICER REPORT**

21 **SECTION 3.** Subsection 35(b) of S.L. 2015-263 is repealed.

## 23 **WILDLIFE CONTROL TECHNICIAN CERTIFICATION AMENDMENTS**

24 **SECTION 4.(a)** G.S. 113-273 reads as rewritten:

25 **"§ 113-273. Other licenses.**

26 ...

27 (l) Wildlife Control Agent License. – ~~Any~~An individual who engages in wildlife damage  
28 control or wildlife removal activities, including bat eviction, for compensation, including  
29 reimbursement for the cost of materials, shall first procure a wildlife control agent license. This  
30 is an annual license issued by the Wildlife Resources Commission for fifty dollars (\$50.00). This  
31 license shall not be required for licensed trappers taking wild animals during the established  
32 trapping season for that species. The Wildlife Resources Commission is authorized by rule to set  
33 standards for and to license wildlife control agents.

34 (ll) Wildlife Control Technician Certification. – An individual who is under the direct  
35 supervision of a licensed wildlife control agent and who engages in wildlife damage control or  
36 wildlife removal activities for compensation under the direct supervision of a licensed wildlife  
37 control agent shall first procure a wildlife control technician certification. This is an annual  
38 certification issued by the Wildlife Resources Commission for twenty-five dollars (\$25.00). This  
39 certification shall not authorize the individual to issue depredation permits. This certification  
40 shall not be required for licensed trappers taking wild animals during the established trapping  
41 season for that species. For purposes of this subsection, the term "wildlife damage control or  
42 wildlife removal activities" shall include bat eviction and alligator damage control or removal  
43 activities, and the term "for compensation" shall include reimbursement for the cost of materials.  
44 The Wildlife Resources Commission may adopt rules to certify and set standards for wildlife  
45 control technicians.

46 (m) Alligator Control Agent Certification. – ~~In addition to the wildlife control agent  
47 license, any~~An individual who engages in alligator damage control or removal activities for  
48 compensation, including reimbursement for the cost of materials, shall first procure an alligator  
49 control agent ~~certification.~~certification, as well as a wildlife control agent license under  
50 subsection (l) of this section. This is an annual certification issued by the Wildlife Resources  
51 Commission for twenty-five dollars (\$25.00). The Wildlife Resources Commission is authorized

1 by rule to set standards for and to certify alligator control agents. This certification does not  
2 include privileges conveyed with an endangered species permit. The endangered species permit  
3 shall be obtained prior to conducting activities under the authorization of this certification."

4 **SECTION 4.(b)** This section becomes effective October 1, 2021.  
5

#### 6 **VETERANS EXEMPTION FOR MOUNTAIN HERITAGE TROUT WATERS LICENSE**

7 **SECTION 5.(a)** G.S. 113-276 is amended by adding a new subsection to read:

8 "(13) A resident or nonresident of this State who served as a member of the Armed Forces  
9 and who separated under honorable conditions is exempt from the Mountain Heritage Trout  
10 fishing license requirements of G.S. 113-271(d)(10) while fishing in waters designated by the  
11 Wildlife Resources Commission as Mountain Heritage Trout waters. In order to qualify for the  
12 exemption provided under this subsection, the person shall have valid documentation of their  
13 service on his or her person at all times during the fishing activity."

14 **SECTION 5.(b)** This section becomes effective October 1, 2021.  
15

#### 16 **WATERFOWL HUNTING PUBLIC PROPERTY**

17 **SECTION 6.(a)** Section 1 of S.L. 2019-98 reads as rewritten:

18 "**SECTION 1.** During the waterfowl seasons established by the Wildlife Resources  
19 Commission, it shall be unlawful to ~~leave~~ do any of the following:

20 (1) Leave or place any equipment or vessels that may be used for the purpose of  
21 taking migratory waterfowl, including, but not limited to, mobile or temporary  
22 blinds, layout boats, and decoys between two hours after sunset and 4:00 A.M.  
23 each day unless remaining on a portion of the shoreline or attached to a dock  
24 as authorized by the owner of the shoreline or dock.

25 (2) Leave unattended or unoccupied any equipment or vessels that may be used  
26 for the purpose of taking migratory waterfowl, including, but not limited to,  
27 mobile or temporary blinds, layout boats, and ~~decoys, prior to 4:00 A.M.~~  
28 decoys between 4:00 A.M. and two hours after sunset each day. All such  
29 unattended equipment and unoccupied vessels must be removed by two hours  
30 after sunset each day unless remaining on a portion of the shoreline or attached  
31 to a dock as authorized by the owner of the shoreline or dock."

32 **SECTION 6.(b)** This section applies only to Roanoke Rapids Lake in Halifax and  
33 Northampton Counties.

34 **SECTION 6.(c)** This section is effective when it becomes law and applies to offenses  
35 committed on or after that date.  
36

#### 37 **PREPARATION FOR CHRONIC WASTING DISEASE**

38 **SECTION 7.(a)** Article 12 of Chapter 143 of the General Statutes is amended by  
39 adding a new section to read:

#### 40 **§ 143-254.7. Appropriation and emergency power to combat Chronic Wasting Disease.**

41 If the Commission determines that an outbreak of Chronic Wasting Disease in the State  
42 constitutes a significant threat to deer and other cervid species, the Commission may declare a  
43 wildlife emergency. Upon declaration of the wildlife emergency, the Commission shall request  
44 needed additional funding for immediate investigation, containment, and eradication of the  
45 outbreak from the Contingency and Emergency Fund to the Council of State for approval  
46 following the process set forth in G.S. 143C-4-4(c). The approved funds will be allocated by the  
47 State Controller to a special fund called the Chronic Wasting Disease Emergency Response Fund  
48 (CWD Response Fund). Funds allocated to the CWD Response Fund are appropriated to the  
49 Wildlife Resources Commission for the purposes for which the funds are requested and approved.  
50 The Commission shall request any federal funds available to combat Chronic Wasting Disease  
51 in cervids, and any such funds obtained will be used to offset State funds appropriated under this

1 section to the extent allowed by applicable law. The Commission will inform the Office of State  
2 Budget and Management of the amount of State funds offset by federal funds, and the Office of  
3 State Budget and Management shall direct the State Controller to transfer these funds from the  
4 CWD Response Fund to the Contingency and Emergency Fund upon receipt of the federal  
5 funds."

6 **SECTION 7.(b)** This section becomes effective July 1, 2021.

7  
8 **HALF-PRICED LIFETIME LICENSES FOR CERTAIN RESIDENTS**

9 **SECTION 8.(a)** G.S. 113-270.1D reads as rewritten:

10 **"§ 113-270.1D. Sportsman licenses.**

11 ...

12 (b) Lifetime Sportsman Licenses. – Lifetime sportsman licenses are valid for the lifetime  
13 of the licensees. Lifetime sportsman licenses entitle the licensees to take all wild animals and  
14 wild birds by all lawful methods, except trapping, in all open seasons, and to fish with hook and  
15 line for all fish in all inland and joint fishing waters, including public mountain trout waters, but  
16 do not entitle the licensee to engage in fishing in coastal fishing waters, except if the license was  
17 purchased before January 1, 2006, pursuant to G.S. 113-174.2(d)(2). A lifetime sportsman  
18 license issued under this subsection entitles the licensee to access and use Wildlife Resources  
19 Commission Property. Lifetime sportsman licenses issued by the Wildlife Resources  
20 Commission are:

21 ...

22 (3) Adult Resident Lifetime Sportsman License – \$500.00. This license shall be  
23 issued only to an individual resident of the State who is 12 years of age or  
24 older but younger than 70 years of age. Except for individuals qualifying for  
25 a discounted license pursuant to G.S. 113-276(o), a resident who is 50 years  
26 of age or older but younger than 70 years of age shall be eligible to purchase  
27 this license at fifty percent (50%) of the applicable fee.

28 ...."

29 **SECTION 8.(b)** G.S. 113-351 reads as rewritten:

30 **"§ 113-351. Unified hunting and fishing licenses; subsistence license waiver.**

31 ...

32 (c) Types of Unified Hunting and Fishing Licenses; Fees; Duration. – The Wildlife  
33 Resources Commission shall issue the following Unified Hunting and Fishing Licenses:

34 ...

35 (3) Lifetime Unified Sportsman/Coastal Recreational Fishing Licenses. – A  
36 license issued under this subdivision is valid for the lifetime of the licensee.  
37 A license issued under this subdivision authorizes the licensee to take all wild  
38 animals and wild birds, including waterfowl, by all lawful methods in all open  
39 seasons, including the use of game lands; to fish with hook and line for all fish  
40 in all inland fishing waters and joint fishing waters, including public mountain  
41 trout waters; and to engage in recreational fishing in coastal fishing waters.  
42 [The licenses are as follows:]

43 ...

44 c. Resident Adult Lifetime Unified Sportsman/Coastal Recreational  
45 Fishing License. – \$675.00. This license shall be issued only to an  
46 individual resident of the State who is 12 years of age or older but  
47 younger than 70 years of ~~age and who is a resident of the State age.~~  
48 Except for individuals qualifying for a discounted license pursuant to  
49 G.S. 113-276(o), a resident who is 50 years of age or older but younger  
50 than 70 years of age shall be eligible to purchase this license at fifty  
51 percent (50%) of the applicable fee.

1                   ...."

2  
3 **EXTEND ELIGIBILITY FOR REDUCED PRICE LIFETIME HUNTING AND FISHING**  
4 **LICENSES TO RESCUE SQUAD AND EMS**

5           **SECTION 8A.** G.S. 113-276(o) reads as rewritten:

6           "(o) An eligible member of a volunteer fire ~~department~~department, rescue squad, or  
7 emergency medical services squad for five consecutive fiscal years, including the prior fiscal  
8 year, may be issued any adult resident lifetime license issued and administered by the Wildlife  
9 Resources Commission for fifty percent (50%) of the applicable license fee amount. For purposes  
10 of this subsection, the term "eligible member" means (i) for volunteer fire department members,  
11 an individual appearing on the certified roster of eligible firefighters submitted to the North  
12 Carolina State Firefighters' Association under G.S. 58-86-25G.S. 58-86-25 and (ii) for volunteer  
13 rescue or emergency medical services squad members, an individual appearing on the certified  
14 roster of eligible rescue or emergency medical services squad members submitted to the North  
15 Carolina Association of Rescue and Emergency Medical Services, Inc., under G.S. 58-86-30."

16  
17 **REDUCE CONTROLLED RABBIT HUNTING PRESERVE OPERATOR LICENSE**  
18 **FEE**

19           **SECTION 9.** G.S. 113-273(g) reads as rewritten:

20           "(g) Controlled Hunting Preserve Operator License. – The Wildlife Resources  
21 Commission is authorized by rule to set standards for and to license the operation of controlled  
22 hunting preserves operated by private persons. Controlled hunting preserves are of three types:  
23 one is an area marked with appropriate signs along the outside boundaries on which only  
24 domestically raised chukars, Hungarian partridges, and game birds other than wild turkeys are  
25 taken; one is an area enclosed with a dog-proof fence on which rabbits may be hunted with dogs  
26 only; and one is an area enclosed with a dog-proof fence on which foxes and coyotes may be  
27 hunted with dogs only. A controlled fox and coyote hunting preserve operated for private use  
28 may be of any size; a controlled hunting preserve operated for commercial purposes shall be an  
29 area of not less than 500 acres or of such size as set by regulation of the Wildlife Resources  
30 Commission, which shall take into account differences in terrain and topography, as well as the  
31 welfare of the wildlife.

32           Operators of controlled fox hunting preserves may purchase live foxes and coyotes from  
33 licensed trappers who live-trap foxes and coyotes during any open season for trapping them and  
34 may, at any time, take live foxes from their preserves for sale to other licensed operators. The  
35 controlled hunting preserve operator license for domestically raised birds, foxes, and coyotes  
36 may be purchased for a fee of one hundred dollars ~~(\$100.00)~~ and ~~(\$100.00)~~. The controlled  
37 hunting preserve operator license for rabbits may be purchased for a fee of twenty-five dollars  
38 (\$25.00). The controlled hunting preserve operator license is an annual license issued beginning  
39 1 July each year running until the following 30 June."

40  
41 **UNLAWFUL BAITING CLARIFICATION**

42           **SECTION 9A.(a)** G.S. 113-295 reads as rewritten:

43 **"§ 113-295. Unlawful harassment of persons taking wildlife resources.**

44           (a) It is unlawful for a person to interfere intentionally with the lawful taking of wildlife  
45 resources or to drive, harass, or intentionally disturb any wildlife resources for the purpose of  
46 disrupting the lawful taking of wildlife resources. It is unlawful to take or abuse property,  
47 equipment, or hunting dogs that are being used for the lawful taking of wildlife resources. This  
48 subsection does not apply to a person who incidentally interferes with the taking of wildlife  
49 resources while using the land for other lawful activity such as agriculture, mining, or recreation.  
50 This subsection also does not apply to activity by a person on land he owns or leases.

1 Violation of this subsection is a Class 2 misdemeanor for a first conviction and a Class 1  
2 misdemeanor for a second or subsequent conviction.

3 (a1) It is unlawful to use an unmanned aircraft system, as defined in G.S. 15A-300.1, to  
4 violate subsection (a) of this section. Violation of this subsection is a Class 1 misdemeanor.

5 (a2) It is unlawful for a person to place bait for the purpose of intentionally interfering  
6 with the lawful taking of wildlife. Violation of this subsection is a Class 2 misdemeanor for a  
7 first conviction and a Class 1 misdemeanor for a second or subsequent conviction.

8 (b) The Wildlife Resources Commission may, either before or after the institution of any  
9 other action or proceeding authorized by this section, institute a civil action for injunctive relief  
10 to restrain a violation or threatened violation of subsection (a) of this section pursuant to G.S.  
11 113-131. The action shall be brought in the superior court of the county in which the violation or  
12 threatened violation is occurring or about to occur and shall be in the name of the State upon the  
13 relation of the Wildlife Resources Commission. The court, in issuing any final order in any action  
14 brought pursuant to this subsection may, in its discretion, award costs of litigation including  
15 reasonable attorney and expert-witness fees to any party."

16 **SECTION 9A.(b)** This section becomes effective December 1, 2021, and applies to  
17 offenses committed on or after that date.

18 **EFFECTIVE DATE**

19 **SECTION 10.** Except as otherwise provided, this act is effective when it becomes  
20 law.  
21